

SAN JOAQUIN LOCAL AGENCY FORMATION COMMISSION (LAFCo)
APPLICATION PROCESS
(Adopted on June 8, 2023)

INTRODUCTION

The information on these pages will familiarize you with LAFCo application process and outlines the information required to file a complete application. Applications requiring environmental review by LAFCo will take longer than applications that have already complied with the California Environmental Quality Act (CEQA).

PRE-APPLICATION PROCEDURE

Applicants are encouraged to contact San Joaquin LAFCo staff to discuss a proposal and all related materials which must accompany the submittal to identify any issues related to your application prior to submission, This may require a site visit as well as photos taken of the proposed project site. Application materials are available online or may be requested from the LAFCo office by phone at (209) 468-3198.

Prior to application submittal, the applicant shall submit to LAFCo staff three (3) proposed names for the annexation/reorganization. LAFCo staff will review and approve one name. All further LAFCo application documents and maps for the annexation/reorganization shall be entitled with that name, regardless of purpose or entity reviewing the application or part of the application.

An application will not be deemed complete and scheduled for processing until the LAFCo office receives the application fee and the completed petition, application questionnaire, map, and legal description. The applicant will be notified in writing if any additional information is required to complete the application.

The map, legal description and grant deeds will be transmitted to the San Joaquin Department of Public Works (Mapping/Surveys Division) for technical review. For more information regarding the requirements for the map and legal description, please see the link for map and legal descriptions.

APPLICATION COMPLETENESS

Submittal of an application is the first formal step in the process. With your application, please include a table of contents with the following attachments:

- (a) Pursuant to Cortese Knox Hertzberg Act, State Government Code Section 56668, list the factors outlined in this section and where the information for each item is discussed and evaluated within the application. This should be the first section

within an annexation plan intended to complement the Table of Content for each annexation plan.

(b) Population and population density; land area and land use; assessed valuation; topography, natural boundaries, and drainage basins; proximity to other populated areas; and the likelihood of significant growth in the area, and in adjacent incorporated and unincorporated areas, during the next 10 years.

(c) The need for organized community services; the present cost and adequacy of governmental services and controls in the area; probable future needs for those services and controls; and probable effect of the proposed incorporation, formation, annexation, or exclusion and of alternative courses of action on the cost and adequacy of services and controls in the area and adjacent areas.

(2)"Services," as used in this subdivision, refers to governmental services whether or not the services are services, which would be provided by local agencies subject to this division, and includes the public facilities necessary to provide those services.

(d) The effect of the proposed action and of alternative actions, on adjacent areas, on mutual social and economic interests, and on the local governmental structure of the county.

(e) The conformity of both the proposal and its anticipated effects with both the adopted commission policies on providing planned, orderly, and efficient patterns of urban development.

(f) Development or use of land for other than open-space uses shall be guided away from existing prime agricultural lands in open-space use toward areas containing nonprime agricultural lands, unless that action would not promote the planned, orderly, efficient development of an area.

(g) The effect of the proposal on maintaining the physical and economic integrity of agricultural lands, as defined by Section 56016 of the Cortese–Knox–Hertzberg Local Government Reorganization Act of 2000.

(h) The definiteness and certainty of the boundaries of the territory, the nonconformance of proposed boundaries with lines of assessment or ownership, the creation of islands or corridors of unincorporated territory, and other similar matters affecting the proposed boundaries.

Within 30 calendar days of receiving an application, the Executive Officer of LAFCo will inform the applicant in writing whether the application is complete and accepted for filing. If incomplete, the written correspondence will indicate where the application is deficient and specify the additional information needed. Applications must be deemed complete by the Executive Officer before processing will begin.

Tax Sharing Agreement.

Pursuant to State Revenue and Taxation Code Section 99, a Certificate of Filing will not be issued for an application until all affected agencies have established a tax sharing agreement. An existing Master Property Tax Sharing Agreement may fulfill if all affected agencies were party to such an agreement. Public agencies submitting applications for annexation and simultaneous detachments need to ensure that all affected public agencies are party to the appropriate property tax sharing agreement. LAFCo requires proof that a property tax sharing agreement that includes all agencies within the annexation/detachment boundary be included with the application.

ENVIRONMENTAL REVIEW

LAFCo applications are subject to environmental review, as required by the Guidelines for Implementation of the California Environmental Quality Act (CEQA). Once an application has been deemed complete by the Executive Officer, LAFCo staff will initiate the environmental review process. New environmental documents are not usually required for the LAFCo application if the activity underlying the application has already undergone environmental review by a city, county, special district or other public agency. Please ensure that the environmental documents forwarded to LAFCo include the Environmental Site Assessment (ESA) Phase I Report and if warranted an ESA Phase II Report for the project.

You will be required to submit copies of these environmental documents as part of your complete application. If the activity underlying the LAFCo application has not undergone previous environmental review by another public agency or the underlying activity was not considered in the agency's environmental review, LAFCo may be responsible for preparing the necessary CEQA documents. Should LAFCo be responsible for preparing the CEQA documents, the applicant may be asked to submit additional environmental information to aid LAFCo in preparing the appropriate mandated documents. LAFCo's environmental review may include the preparation of a Notice of Exemption, Initial Study, Negative Declaration, or Environmental Impact Report. The time and professional expertise required to prepare the appropriate supporting CEQA documents varies and could take several months. LAFCo cannot take action on the application until the requirements of CEQA have been satisfied.

LAFCo ACTION

Once the application has been deemed complete by the Executive Officer, and assuming LAFCo does not have to prepare any environmental documents, the application will be scheduled for hearing within 90 days of the application completeness date. If LAFCo needs to prepare environmental documents to comply

with CEQA, the application will be scheduled for hearing within 90 days of approval or certification of the appropriate CEQA documents.

LAFCo MEETING SCHEDULE

The San Joaquin LAFCo meetings are held on the second Thursday of each even month, commencing at 9:00 a.m. in the San Joaquin Board of Supervisors Chambers located at 44 N. San Joaquin Street, Stockton, Ca 95202. After your application has been deemed complete and LAFCo's environmental review is completed, you will be notified of the date your application will be heard by LAFCo . You will receive a copy of the agenda and Executive Officer's Staff Report prior to the hearing on your application. Please contact LAFCo staff to assure no changes has been made to the schedule.